

# RESOLUTION 1740

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, GRANTING AND ACCEPTING A UTILITY EASEMENT IN AND UPON TAX PARCEL NO. 857090-0321 AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME**

**WHEREAS**, local property owners David and April Huard (“Huards”) have proposed to extend 253 lineal feet of public sanitary sewer pipe to their property within City limits (“Sewer Extension”); and

**WHEREAS**, the Sewer Extension runs through two City rights-of-way and through a small parcel of property owned by the City in fee simple; and

**WHEREAS**, where a public utility is proposed through City-owned fee simple property, an easement is created to protect the City’s right to monitor, operate and maintain its utility in perpetuity in the event the property is ever sold; and

**WHEREAS**, the North Bend City Council is vested with powers over the acquisition, ownership, improvement, maintenance, and protection of public ways and real property of all kinds under the state constitution and RCW 35A.11.020;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Easement Granted and Accepted:** The City Council of the City of North Bend hereby grants and accepts a utility easement in and upon Tax Parcel No. 857090-0321, in the form attached hereto as **Exhibit A**, and authorizes the Mayor to execute the same.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15<sup>TH</sup> DAY OF  
NOVEMBER, 2016.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: November 15, 2016

Posted: November 16, 2016

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**Susie Oppedal, City Clerk**